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| 25944 7590 12/08/2008<br>OLIFF & BERRIDGE, PLC<br>P.O. BOX 320850<br>ALEXANDRIA, VA 22320-4850 |             |                      |                     |                  |
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| RALEIGH, DONALD L  |             |                      |                     |                  |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/562,424

**Applicant(s)**

NAITO ET AL.

**Examiner**

DONALD L. RALEIGH

**Art Unit**

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-10 and 12-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-10 and 12-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, 3-10 and 12-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koike et al (EP 1 267 318 A1) in view of Ozawa (US Patent No. 6,638,624).**

**Regarding Claim 1**, Koike discloses, at least in Figures 1-19, a front panel (Paragraph [0001](display screen)) for plasma display ([0001], line 2), comprising: a transparent substrate (the display screen would have to be transparent), a first transparent adhesive layer (31) (Fig.3) provided on the transparent substrate (located at display area 00), an electromagnetic wave shielding layer (10) provided on the first transparent adhesive layer (31), a third transparent adhesive layer (40) provided on the electromagnetic wave shielding layer (10), and a transparent protective layer (60) provided on the third transparent adhesive layer (40), the electromagnetic wave shielding layer (10) comprising a transparent substrate film (11), a metal layer (12) (see Fig. 19) including a mesh part (Paragraph [0118], lines 1-4) having a plurality of openings that adjoin one another, formed on the transparent substrate film (11), and a smoothing resin layer (20)(B)(Fig.19) made from a transparent synthetic resin [0109],

(although (20) in Fig.19 is not shown as part of the EM shielding layer, it is in contact with it and would provide the same smoothing function) filling at least part of the spaces in the openings in the metal layer (12)(if the metal is a mesh, the polymer would fill in some of the spaces in the openings in the metal),

Koike discloses in Paragraph [0034] that at least one dye can be in the smoothing resin layer (B) or the third transparent adhesive layer (E) . Furthermore, Paragraph [0035] discloses that the dye may be a color correction dye (570 to 605 nm) or it may be a near-infrared absorbing dye (Paragraph [0039]) but

Koike fails to disclose that the smoothing resin layer containing only one of a near infrared rays absorbing agent and a coloring agent for color tone correction, and the third transparent adhesive layer containing only the other of the near infrared rays absorbing agent and the coloring agent for color tone correction.

Ozawa teaches a color correction compound (Column 7, lines 23-30) that can be used in a binder resin (Column 8, lines 58-63). Also, Ozawa teaches a near-IR absorbing layer (800-1000 nm, Column 15, line 46) and teaches that it may be part of the binder resin layer or part of a separate adhesive layer (Column 15, lines 38-42). In such case, the smoothing resin layer would contain only the color correction agent (binder resin) and the adhesive layer would contain the near-infrared agent but not the color correcting binder resin. Ozawa includes this filter structure to provide control over the tone of a display device and increase purity without reducing luminescence intensity (Column 1, lines 3-8).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the filter structure, as taught by Ozawa, in the device of Koike, to provide control over the tone of a display device and increase purity without reducing luminescence intensity.

**Regarding Claims 3 and 5,** Koike discloses that the third transparent adhesive layer (40) contains a coloring agent for color tone adjustment for adjusting the color tone of a displayed image to the desired one. Paragraph [0034] discloses that it may contain a dye, paragraph [0039] discloses that the dye may include a near infrared absorbing agent (800-1100 nm range).

**Regarding Claims 4 and 13,** Koike discloses that the smoothing resin layer (20) contains a near infrared rays absorbing agent, and the third transparent adhesive layer (40) contains a coloring agent for color tone correction. Paragraph [0034] discloses that the dye may be in any of the layers and paragraph [0039] discloses that the dye may contain a near infrared absorbing agent.

**Regarding Claim 6,** Koike discloses that the metal layer (12) further includes a frame part that surrounds the mesh part, and a part of the frame part is covered neither with the smoothing resin layer (20), nor with the third transparent adhesive layer (40), nor with the transparent protective layer (60) and is thus bare. Paragraph [0292] teaches that the transparent conductive layer (D) which is the metal part of (10) should

be deposited in frame form out of the central display area (i.e. not covered by (20), (40) or (60) which are in the display area).

**Regarding Claim 7**, Koike discloses, in Figure 19, an adhesive layer (30) applied to layer (11) and (12) which would bond the mesh layer (12) to the polymer (11).

**Regarding Claim 8**: Koike discloses, at least in Figure 3, that the transparent protective layer (60) comprises a transparent protective substrate film (63) and an anti-reflection layer (61), (paragraph [0274]) identified these elements) on the transparent protective substrate film (63).

**Regarding Claim 9**, Koike discloses that a blackening treatment layer is provided on the transparent protective layer (60) side surface of the metal layer (12). Para. [0329] discloses applying a black paint to the surface of the section containing the metal layer.

**Regarding Claim 10**, A plasma display comprising: a front panel (Paragraph [0001]) for plasma display [0001], and a plasma display element that faces to the front panel (00 in Fig.3) for plasma display, the front panel for plasma display comprising: a transparent substrate (display screen), a first transparent adhesive layer (31) provided on the transparent substrate (display screen), an electromagnetic wave shielding layer (10) provided on the first transparent adhesive layer (31), a third transparent adhesive

layer (40) provided on the electromagnetic wave shielding layer (10), and a transparent protective layer (60) provided on the third transparent adhesive layer (40), the electromagnetic wave shielding layer (10) comprising a transparent substrate film (11), a metal layer (12) including a mesh part [0118] having a plurality of openings that adjoin one another, formed on the transparent substrate film (11), and a smoothing resin layer (20) made from a transparent synthetic resin [0109], filling at least part of the spaces in the openings in the metal layer (12), the transparent substrate (display screen) of the front panel for plasma display facing to the plasma display element, an image displayed being observed from the transparent protective layer (60) side. (The filter is applied to the device that produces the image, and thus the image would be observed from the (60) side of the filter as shown in Figure 3).

Koike discloses in Paragraph [0034] that at least one dye can be in the smoothing resin layer (B) or the third transparent adhesive layer (E) . Furthermore, Paragraph [0035] discloses that the dye may be a color correction dye (570 to 605 nm) or it may be a near-infrared absorbing dye (Paragraph [0039]) but

Koike fails to disclose that the smoothing resin layer containing only one of a near infrared rays absorbing agent and a coloring agent for color tone correction, and the third transparent adhesive layer containing only the other of the near infrared rays absorbing agent and the coloring agent for color tone correction.

Ozawa teaches a color correction compound (Column 7, lines 23-30) that can be used in a binder resin (Column 8, lines 58-63). Also, Ozawa teaches a near-IR absorbing layer (800-1000 nm, Column 15, line 46) and teaches that it may be part of

the binder resin layer or part of a separate adhesive layer (Column 15, lines 38-42). In such case, the smoothing resin layer would contain only the color correction agent (binder resin) and the adhesive layer would contain the near-infrared agent but not the color correcting binder resin. Ozawa includes this filter structure to provide control over the tone of a display device and increase purity without reducing luminescence intensity (Column 1, lines 3-8).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the filter structure, as taught by Ozawa, in the device of Koike, to provide control over the tone of a display device and increase purity without reducing luminescence intensity.

**Regarding Claims 12-14**, Koike discloses that the third transparent adhesive layer (40) contains a coloring agent for color tone adjustment for adjusting the color tone of a displayed image to the desired one. Paragraph [0034] discloses that at least one dye is contained in any of the layers and paragraph [0039] discloses that the dye may contain an infrared absorption material.

**Regarding Claim 15**, Koike discloses that the metal layer (12) further includes a frame part that surrounds the mesh part, and a part of the frame part is covered neither with the smoothing resin layer (20) nor with the third transparent adhesive layer (40), nor with the transparent protective layer (60) and is thus bare. Paragraph [0292] teaches that the transparent conductive layer (D) which is the metal part of (10) should



be deposited in frame form out of the central display area (i.e. not covered by (20), (40) or (60) which are in the display area.

**Regarding Claim 16**, Koike discloses, at least in Figures 15 and 19, that the electromagnetic wave shielding layer (10) comprises a second transparent adhesive layer (30) between the transparent substrate film (63) and the metal layer (12).

**Regarding Claim 17**, Koike discloses, at least in Figures 12-14, that the transparent protective layer (60) comprises a transparent protective substrate film (63) and an anti-reflection layer (61) on the transparent protective substrate film (63).

**Regarding Claim 18**, Koike discloses a blackening treatment layer is provided on the transparent protective layer (20 (B)) side surface of the metal layer (12) (Paragraph [0329]).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DONALD L. RALEIGH whose telephone number is (571)270-3407. The examiner can normally be reached on Monday-Friday 7:30AM to 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter J Macchiarolo/  
Primary Examiner, Art Unit 2879

/Donald L Raleigh/  
Examiner, Art Unit 2879